



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,904	07/17/2003	Tatsuya Suzuki	03416/LH	2835
1933	7590	07/07/2004	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC			GRAY, DAVID M	
767 THIRD AVENUE			ART UNIT	
25TH FLOOR			PAPER NUMBER	
NEW YORK, NY 10017-2023			2851	

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/622,904

Applicant(s)

SUZUKI, TATSUYA

Examiner

David M Gray

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,7 and 9-11 is/are rejected.
- 7) ☒ Claim(s) 3,6,8 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/17/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Objections

Claims 4 and 11 are objected to because of the following informalities: carbonization is necessarily burning of the wood, the claimed “is burning” does not specify whether the burning is physical or chemical and therefore does not further limit the base claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4, 5, 7, 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berkovits in view of Günter et al.

Berkovits discloses “an electronic device’s casing [10] comprising: any one of wood and woody material [col 1, lns 51-57] that has two surfaces” where the wood is “not carbonization-treated.” Thus Berkovits differs from the claimed invention in that Berkovits does not disclose or suggest “one of the surfaces of the any one of the wood and woody material which is carbonization-treated to provide a carbonized layer on one surface of the casing.”

Günter et al. teaches carbonization treatment of a wood surface in order to enhance the appearance of the wood grain.

It would have been obvious to one of ordinary skill at the time of applicant's invention to treat the wood surface of case 10. One would have been motivated to so modify Berkovits for

Art Unit: 2851

the benefit of providing a readily available wood having the appearance of rare tropical wood, see col. 3, lns 60-66.

Regarding claims 2 and 5, in the modified Berkovits, “the carbonized layer is formed on substantially the whole of one surface of the casing” as the entire exterior would be treated to provide the desired appearance of rare wood. Such carbonization as taught by Günter et al. would inherently “provide an electromagnetic shielding characteristic to the casing.”

Regarding claim 4, Günter et al. the “carbonization treatment is burning” by laser.

Regarding claim 7, Berkovits teaches treating the wood for appearance and thus the inside of the casing would not be treated as such would incur unnecessary time and expense.

Regarding claim 9, Berkovits discloses “a substrate configured to have electronic component parts mounted thereon [the circuit board of the radio or the camera]; a chassis configured to have the substrate mounted thereon [the housing of the radio or the camera]; and a casing [10] configured to cover the substrate-mounted chassis therewith, wherein the casing is made of any one of wood and woody material [col 1, lns 51-57] that has two surfaces, and one of the surfaces of the any one of wood and woody material is carbonization-treated to provide a carbonized layer on one surface of the casing [as modified by Günter et al.].

Regarding claims 10 and 11, the methods steps are met by the operation of Berkovits as modified by Günter et al.

Art Unit: 2851

Allowable Subject Matter

Claims 3, 6, 8 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not disclose or suggest "the carbonized layer is formed on the inner surface of the casing" in combination with the remaining claim elements as set forth in claims 3, 6, 8 and 12.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David M Gray whose telephone number is 571-272-2119. The examiner can normally be reached on M-T 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'David M Gray', with a large, stylized flourish extending to the right.

David M Gray
Primary Examiner
Art Unit 2851